

- 1 11. (original) The method according to claim 10 wherein the first medium is comprised of  
2 granular activated carbon.

### **REMARKS**

Claims 1 and 9 have been amended. It is submitted that the amendments have obviated the indefiniteness rejections.

Claims 1-11 have been rejected under 35 U.S.C. §103(a) as being obvious over Bamer (U.S. Patent 5,820,762) in view of Van Egmond (U.S. Patent 5,820,762), and Ma (U.S. Published Pat. Appln. No. 2002/0053259).

Bamer discloses a filtration system having bags 42, 44 of filter material positioned one over the other. See col. 4, lines 33-41, and Fig. 1 of Bamer. The filter material of bag 42 can include fibrous cellulose and the filter material of bag 44 can include activated carbon. See col. 4, lines 52-58 of Bamer.

Van Egmond discloses a filtration system 20 having three layered porous sacks 22 of filtration material. See col. 2, lines 54-6, and Fig. 1 of Van Egmond. The porous sacks 22 contain filtration material such as sand, pea gravel and charcoal. See col. 5, lines 4-8 of Van Egmond.

Ma discloses a method for extracting arsenic from materials by cultivating fern plants in the materials. See col. 5, para.'s 0016-0019, of Ma.

Bonnin (U.S. Patent 6,042,731) is cited by the Examiner as showing that CaO is a known arsenic-adsorbing material. See page 3 of the Office Action. Bonnin discloses that the

use of fly ash, which is comprised primarily of CaO, can be used to remove arsenic species from an aqueous medium. See col. 2, lines 51-55, of Bonnin.

Claim 1 recites:

A stormwater treatment system which comprises:

a housing having a first aperture positioned downstream of a second aperture;

a first filter layer and a second filter layer comprised of crushed concrete comprising CaO positioned within the housing; and

a separator layer disposed between the first filter layer and the second filter layer, the first filter layer absorbing contaminants from stormwater to produce a first treated stormwater and the second filter layer having a controlled pH within a range of between about 9-11 to precipitate substantially all of the dissolved contaminants remaining in the first treated stormwater when the stormwater flows into the first aperture, permeates through the first filter layer, the separator layer and the second filter layer and flows out of the second aperture. [cl. 1, emphasis added]

None of the above cited references, either alone or in combination, teach or suggest a stormwater filtration system as claimed by Applicants wherein the system has a second filter layer comprised of crushed concrete comprising CaO wherein the second layer has a controlled pH within the range of between about 9-11 to precipitate substantially all of the dissolved contaminants remaining in a first treated stormwater. Nor, has the Office Action shown where in the references, either alone or in combination, such features are taught or suggested.

Claim 9 recites:

A method for treating stormwater runoff which comprises:

permeating the stormwater through a first medium to produce a first treated stormwater; and

flowing the first treated stormwater through a second medium comprised of crushed concrete having a pH within a range of between about 9-11 to precipitate substantially all of the dissolved contaminants remaining in the first treated stormwater. [cl. 9, emphasis added]

None of the above cited references, either alone or in combination, teach or suggest a method as claimed by Applicant having a step of flowing a first treated stormwater through a second medium comprised of **crushed concrete** having a pH within a range of between about 9-11 to precipitate substantially all of the dissolved contaminants remaining in the first treated stormwater. Nor, it is submitted, has the Office Action shown where in the references, either alone or in combination, such features are taught or suggested.

In view of the foregoing, Applicants submit that the obviousness rejections of claims 1-11 have been traversed.

In regard to the term non-vegetative BMP's set forth in the specification on page 2, line 4, it is submitted that BMP is an acronym for Best Management Practices.

The application is now considered to be in condition for allowance and an early indication of the same is earnestly solicited.

Respectfully submitted,



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